

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 24-20168-CR-ALTONAGA**

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**JOSEPH JULES PLANCHER,**

Defendant.

/

**ORDER**


On January 16, 2025, the Court granted Defendant's *ore tenus* motion for mistrial following the Government's untimely disclosure of discovery during trial rather than before trial. The parties are aware of the issues, raised in open court on this day.

Being fully advised, it is

**ORDERED** that the Government shall show cause, by no later than **January 29, 2025**, why it should not be required to pay a monetary penalty, consisting of the fees of Defendant's Criminal Justice Act counsel and investigator, costs of transcripts, and juror payments, under Federal Rule of Criminal Procedure 16(d)(2) and/or the Court's inherent supervisory powers. *See, e.g., United States v. Horn*, 29 F.3d 754, 760 (1st Cir. 1994) (stating that "even though a particular abuse is covered by a specific statute or rule, a court still may invoke its supervisory power to address the abuse if the existing remedial provision is inadequate to the task." (citing *Chambers v. NASCO*, 501 U.S. 32, 50–51 (1991))). "It has been squarely held that a court's array of supervisory powers includes the power to assess attorneys' fees against other parties or their attorneys in befitting situations." *Id.* (citations omitted).

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**DONE AND ORDERED** in Miami, Florida, this 16th day of January, 2025.

  
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**CECILIA M. ALTONAGA**  
**CHIEF UNITED STATES DISTRICT JUDGE**

cc: counsel of record